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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/927,184	08/06/2001	Richard E. Rowe	IGT1P070/P-629	4646
22434	7590	09/07/2006	EXAMINER	
BEYER WEAVER & THOMAS, LLP			POINVIL, FRANTZY	
P.O. BOX 70250			ART UNIT	
OAKLAND, CA 94612-0250			PAPER NUMBER	
			3628	

DATE MAILED: 09/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/927,184	Applicant(s) ROWE, RICHARD E.	
	Examiner Frantzy Poinvil	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The Examiner's response to the applicant's arguments is incorporated in the rejection found below.
2. It is noted that applicant does not contest the rejection of claims 19-38. Thus, the rejection of claims 19-38 remains outstanding.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 8-18 and 39-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneier et al (US Patent No. 6,450,885) in view of Ramachandran et al. (US Patent No. 6,457,640).

As per claims 1-6, 8-18 and 39-42, Schneier et al disclose a system and method for enabling remote players to participate in a game via a network communications system. The system and method comprise registering a player, creating a player tracking account for the player using player information derived from an account card associated with the player, the account card corresponding to a remote account unrelated to the player tracking system. Applicant is directed to column 4, lines 51-64 and column 5, lines 10-59.

The system enables participation by the player in the player tracking system using the account card subsequent to creating the player account. The player information is derived from reading encoded information from the account card. Applicant is directed to column 5, lines 10-21 and 45-57. Schneier et al further teach deriving the player information from the remote account identified by the account card and effecting electronic funds transfer from the remote account to the player tracking account. See column 4, lines 33-50 and column 5, lines 44-57.

As per claims 1-6, 8-18 and 39-42, applicant's representative argues that Schneider et al do not anticipate the inventions of claims 1-6 and 8-18 because Schneider et al fail to teach or suggest creating a player tracking account using player information derived from an account card associated with a player thereby allowing the player to be registered with the player tracking system without requiring the payer to specify the player information used to create the player tracking account.

In response, the Examiner notes that Schneider et al state that during a registration process, a player inputs credit card account information, name and social security number for the creation of a tracking number. The credit card number or the social security number is unrelated to the player tracking system. Thus, the player tracking system of Schneider et al receives account information associated with an established account such as a credit card account wherein the established account has not been established for tracking a person in the gaming environment. The tracking number or tracking account is effectively used to track a player in the gaming environment.

Applicant is arguing that the player's credit card account information is obtained from that card without the player inputting any of the information found on that card or "creating said player tracking account for said player without requiring said person to specify said account information used to create said player tracking account"

In response, to the applicant's argument that Schneider et al do not teach these features, obtaining information from a card without requiring a user of the card to specify the information contained in the card is old and well known in the art at the time of the applicant's invention. For example, stores card readers and automatic machine systems such as ATM's are well known to adapt and use this technique. Furthermore, Ramachandran et al disclose a system and method for dispensing items to a user via an ATM. In the payment processing system, the users, automatic payment information is obtained by reading account information from a user's credit card or bank card using the ATM's card reader. Thus, the user does not input the required information. See column 13, lines 33-41 of Ramachandran et al.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Ramachandran et al into the system of Schneider et al in order to allow a system to directly obtain a user's information from their credit card or social security card thus preventing a user from performing redundant entries, and thereby providing a faster means of providing personal information thereto.

As per claims 8-13, the account card of Schneier et al is a credit card using a card of an account type using a reading device and/or manually entering data by the player.

As per claim 14, Schneier et al provide additional services such as voice mailing and faxing system. See column 7, lines 1-2 of Schneier et al.

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schneier et al (US Patent No. 6,450,885) and Ramachandran et al (US Patent No. 6,457,640) as applied to claim 1 above and further in view of Dorrough et al. (US Patent No. 5,287,269).

The teachings of Schneier et al and Ramachandran et al are discussed above. As per claim 7, Schneier et al and Ramachandran et al do not explicitly teach providing a player tracking card to the player subsequent to the player tracking account and enabling participation by the player in the player tracking system using the player tracking card.

Dorrough et al disclose a system and method for accessing events, areas and activities. In so doing Dorrough et al disclose registering a user using the user's account number and providing a tracking card to the game player. See column 7, lines 7-67 and column 9, lines 3-58 of Dorrough et al. It would have been obvious to one of ordinary skill in the art to incorporate the teachings of Dorrough et al into Schneier et al and Ramachandran et al in order to provide players with a tracking card for enabling players to instantly gain access to a game or control or monitor their account.

5. Claims 19-24 and 26-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al (US Patent No. 6,645,068) in view of Schneier et al (US Patent No. (US Patent No. 6,450,885).

As per claims 19 and 33-37, Kelly et al disclose a game system having a network communications system for enabling users to participate remotely. See the abstract. In so doing, Kelly et al disclose

a player tracking system in a gaming network, comprising:
a plurality of gaming machines (figure 1, elements 106);

a plurality of player tracking units associated with the gaming machines (column 7, lines 1-27);

a network interconnecting the gaming machines and player tracking units; and
a player tracking server connected to the network for managing the player tracking system by interacting with the player tracking units (column 7, lines 1-27 and column 4, lines 1-64);

wherein the player tracking system is operable to generate a player tracking account corresponding to a player (column 7, lines 1-27).

Kelly et al do not explicitly state the player tracking system generates the player tracking account corresponding to player information derived from an account card associated with the player.

This teaching is taught by Schneier et al. Schneier et al discloses a system and method for enabling remote players to participate in a game via a network

communications system. The system and method comprise registering a player, creating a player tracking account for the player using player information derived from an account card associated with the player, the account card corresponding to a remote account unrelated to the player tracking system. Applicant is directed to column 4, lines 51-64 and column 5, lines 10-59.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Schneier et al into Kelly et al in order to use the player's account number to create the users account file so as to thereby obtain a true and verifiable identification of the players using the gaming network system.

As per claims 20-24, the system of Schneier et al enables participation by the player in the player tracking system using the account card subsequent to creating the player account. The player information is derived from reading encoded information from the account card. Applicant is directed to column 5, lines 10-21 and 45-57. Schneier et al further teach deriving the player information from the remote account identified by the account card and effecting electronic funds transfer from the remote account to the player tracking account. See column 4, lines 33-50 and column 5, lines 44-57.

As per claims 26-31, the account card of Schneier et al is a credit card using a card of an account type using a reading device and/or manually entering data by the player.

As per claim 32, Schneier et al provides additional services such as voice mailing and faxing system. See column 7, lines 1-2 of Schneier et al.

As per claims 20-24 and 26-32, the motivation to combine Kelly et al and Schenier et al would have been to ensure data integrity in the combined system.

6. Claims 25 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al (US Patent No. 6,645,068) and Schneier et al (US Patent No. 6,450,885) in view of Dorrough et al. (US Patent No. 5,287,269).

As per claims 25 and 38, the teachings of Kelly et al and Schneier et al are discussed above. Schneier et al do not explicitly teach providing a player tracking card to the player subsequent to the player tracking account and enabling participation by the player in the player tracking system using the player tracking card.

Dorrough et al disclose a system and method for accessing events, areas and activities. In so doing Dorrough et al disclose registering a user using the user's account number and providing a tracking card to the game player. See column 7, lines 7-67 and column 9, lines 3-58 of Dorrough et al. It would have been obvious to one of ordinary skill in the art to incorporate the teachings of Dorrough et al into the combination of Kelly et al and Schneier et al in order to provide players with a tracking card for enabling players to instantly gain access to a game or control or monitor their account.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (571) 272-6797. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sam Sough can be reached on (571) 272-6799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Frantzy Poinvil
Primary Examiner
Art Unit 3628

FP
August 30, 2006